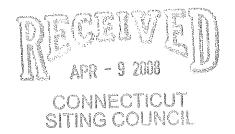
# ROBINSON & COLE IIIP

KENNETH C. BALDWIN

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April 8, 2008

S. Derek Phelps **Executive Director** Connecticut Siting Council 10 Franklin Square New Britain, CT 06051

Re: Docket No. 358 - Application Of MCF Communications bg, Inc. And Cellco Partnership d/b/a Verizon Wireless For The Construction, Maintenance And Operation Of A Wireless Telecommunications Facility In The Town of Thompson, Connecticut

Dear Mr. Phelps:

On March 24, 2008, representatives of MCF Communications bg, Inc. and Cellco Partnership d/b/a Verizon Wireless appeared before the Town of Thompson Planning and Zoning Commission to present details on the above-referenced application. Attached is a letter from Kevin Kennedy, AICP, Director of Planning and Development for the Town of Thompson in which the Planning and Zoning Commission expresses its preference for the Site A location. I ask that these comments be incorporated into the Docket No. 358 record.

If you have any questions on these materials please do not hesitate to contact me.

Sincerely,

Kenneth C. Baldwin

Law Offices

BOSTON

HARTFORD

NEW LONDON

STAMFORD

WHITE PLAINS

NEW YORK CITY

SARASOTA www.rc.com KCB/kmd

Enclosures

Copy to:

Brad Gannon, MCF Communications bg, Inc.

Sandy M. Carter, Verizon Wireless

HART1-1461635-1



April 7, 2008

Vanasse Hangen Brustlin, Inc. Attn: Nicole Dentamaro 54 Tuttle Place Middletown, CT 06457

Dear Mrs. Dentamaro,

The Town of Thompson held a public hearing on March 24, 2008 regarding the proposed location of a 140-foot monopole structure on Riverside drive referred to as "Thompson 2 Facility" submitted to the Connecticut Sitting Council on February 22, 2008. The two (2) sites currently being considered for sitting are referred to as Site A (347 Riverside Dr.) and Site B (407 Riverside Dr.).

Attached are the draft minutes from the March 24<sup>th</sup> meeting for your review. During the public hearing, the benefits and challenges of Site A and Site B were discussed at length and the Planning and Zoning Commission felt as though Site A (347 Riverside Drive) would be a preferable location. This position is primarily due to the existing underlying commercial zoning and existing commercial/industrial uses which surround the property. In contrast, Site B (407 Riverside Drive) is currently zoned residential and surrounded by residential uses.

If you have any questions regarding the Commissions recent actions or discussion please feel free the contact myself at (860) 923-9475 or via email at <a href="mailto:planner@thompsonct.org">planner@thompsonct.org</a>.

Respectfully,

Kevin Kennedy, AICP

Director of Planning & Development

Cc: Nicole Dentamaro (Vanasse Hagen Brustlin, Inc.) – <u>ndentamaro@vhb.com</u>
Sandy Carter – Verizon Wireless, 99 E. River Dr., E. Hartford, CT 06108
Brad Gannon – MCF Communications, 41 Wicklow Rd., Westerly, RI 02891
Atty. Kenneth Baldwin (Robinson & Cole, LLP) – <u>kbaldwin@rc.com</u>



# PLANNING & ZONING COMMISSION "Minutes"

The Planning & Zoning Commission held a Meeting on March 24, 2008 @ 7:00 p.m. in the Merrill Seney Community Room.

#### PRESENT:

Randolph Blackmer, Al Landry, Greg Lee, Steven Antos, Robert Werge, John Rice, James Naum, D.R. Hoenig, Barbara Loy, Peter Nedzweckas, Charles Paquette, Daniel Touchette

#### ABSENT:

William Cacciapouti

#### ALSO PRESENT:

John Mahon, Kevin Kennedy, Brad Gagnon, Sadie Carter, Kenneth Baldwin, Peter Orr, Bruce Fitzback, Jim Northridge, Richard Desrochers, James McDonald, Carol Rogers, Brett Rekola,

#### PUBLIC HEARING #1 (7:01 pm)

### Siting Council & Robinson & Cole - re: Cell Phone Tower - MCF Communications

Brad Gagnon (MCF), Sadie Carter (Verizon) and Kenneth Baldwin (Robinson & Cole) were present. Brad Gagnon stated that they were looking at 3 sites. There is a gap in service around Exit 98 in CT; therefore, came up with 3 proposed sites: Site #1 was Marianapolis; however, Historical Society did not think this was a good choice as well as comments and concerns made by other concerned individuals. Congregational church had also been a consideration; however, too far West to make a good connection with the current network and not high enough. There are two remaining sites (will refer to as Site A & Site B). Site A is DR Masonry at 347 Riverside Drive. This is a two acre parcel in a commercial zone, with a 150 ft mono pole there. Site B is 407 Riverside Dr., which also has a 150 ft mono pole, a residential area.

Kenneth Baldwin stated they have withdrawn proposals for Congregational Church and Marianopolis. An application has been filed with the Siting Council for the 2 sites referred to as Site A & Site B. No hearing has been set yet. When it is, it will be held in the Town of Thompson.

Robert Werge questioned what was the problem with Marianapolis. Mr. Baldwin stated that the Marianapolis School property is designated as a historic property and from a historical perspective, very sensitive. Mr. Baldwin stated they had received a lot of comments from the local historic folks and an advance letter from the State Historic Preservation Officer and when they get one of those, they walk away from the site.

James Naum stated that two sites have been mentioned, Site A & Site B, and questioned which was felt as the better site. Kenneth Baldwin stated Site A which is more of an industrial use and feels it is more appropriate there from a Siting perspective. They try to present Siting Council with alternatives so they are not putting all their eggs in one basket: however, ultimately the Siting Council makes the final decision as to what is the best site. Mr. Baldwin stated that we are looking for from the Commission is if you have any preferences, or not, general comments about the proposal or what you would like to see. The Siting Council looks to us to look to you to get as much input as possible as to what you would like to happen in the Town with as much local input as possible.

Peter Nedzweckas questioned if this had previously been a proposed site several years ago. Daniel Touchette stated yes.

Al Landry pointed out Page 93 & 94 of our Planning and questioned if tower fell, would it fall within its boundaries of that land? Mr. Baldwin stated yes and corrected tower is 140 feet. Originally supposed to be 150 but Verizon evaluated its need and can only justify 140, can be expanded if another carrier comes along, but they are applying to the Siting Council for 140. On the maps presented in the application, it shows each tower has 140 foot 'fall radius' and does extend to the south and north onto adjacent properties. Siting Council requires them to have a structural 'yield point' in the tower so that if the maximum load of the tower is ever reached in a severe weather condition, the tower would essentially break somewhere in the middle so if a portion of it did fall, it would fall within the boundaries.

Barbara Loy questioned what criteria actually determine the need for the tower in the first place? Mr. Baldwin stated that the need is based on what the carrier's specific need is to provide service. Mr. Baldwin pointed out in the application package, behind Tab 8, which shows a series of coverage maps indicating signal strength of existing sites in the area. Mr. Baldwin went on to explain about the red and green in the plan, which is good, and reliable signal strength. These maps show existing coverage today at both cellular and PCS frequencies and what it would look like if the sites proposed in the application were approved. Mr. Baldwin pointed out that



particularly in the PCS maps; this is an area where Verizon Wireless does not provide reliable PCS service. Proposed site coverage would make you gain the needed coverage. Siting Council will look at the maps and say there is a need for PCS service in this area because the signal is limited and need to fill in the gap.

James Naum explained to Mr. Baldwin that we are actually in a gap here on Route 12, we're sitting in a gap, will this gap disappear? Mr. Baldwin stated yes, should disappear. All set for service in Putnam and in MA, this proposal would completely fill in remaining gap.

Robert Werge asked what is the difference between PCS and cellular service. Mr. Baldwin stated the only difference is the frequencies in which the service operates. Both voice but Verizon uses PCS data in addition to voice.

John Rice asked if any consideration was given to the water tower. Brad Gagnon stated yes, however, it was too far west to cover gap they are looking to fill.

John Rice also asked what circle this would cover. Mr. Gagnon stated 1 – 1 ½ miles but will depend on the topography. There will be 12 antennas; 6 cellular, 6 PCS.

Barbara Loy questioned why it as so important to have on 395 since by law you are not supposed to be driving and talking on the phone in the first place. Mr. Baldwin stated that you're not supposed to be driving and holding the phone, can use hands free; however, it is not only for people traveling but also for people who break down, have a flat tire, emergency, etc, so they can have coverage when needed.

John Rice questioned what the plans were to make the tower invisible to someone driving down Route 12. Mr. Baldwin stated they don't have any. Hard to make invisible but have proposed different towers that in some peoples thinking are less intrusive; i.e. stealth options, tree towers.

Brad Gagnon stated that a visibility study was done, which is in the plan, and states how you will see the tower from different angles and distances. When you are immediately around it, you will see it; however, it may be eliminated when viewing from a distance.

James Naum stated he would prefer Site A because it is commercial and Site B is residential.

To questions presented, Mr. Baldwin further stated that the tower will be 250 feet back from the roadway. It will be used by Verizon and other carriers for voice and data.

Steven Antos asked if you had additional carriers, would you need additional height. Brad Gagnon stated possibly yes.

No public comment for or against the cell phone tower.

Motion made by Daniel Touchette to close Public Hearing, seconded by Randolph Blackmer. All in favor, motion carried.

## Discuss Public Hearings -

PH#1 – Cell Phone Tower

Motion made by Randolph Blackmer that we recommend Site A, seconded by James Naum.

John Rice asked Kevin Kennedy if he could send a letter, based on the conversations that transpired on the tape, along with a copy of the minutes.

Al Landry stated he wants the tower to remain at 140 feet and have a break way in it since it does not state that in the application.

Randolph Blackmer	YES
Al Landry	YES
Greg Lee	YES
Robert Werge	YES
John Rice	YES
James Naum	YES
D.R. Hoenig	YES
Peter Nedzweckas	YES
Charles Paquette	YES
Daniel Touchette	YES

All in favor, motion carried.